

# **EXHIBIT 1**

Blackburn, DeClement

Associates, P.C. Attorneys at Law

May 21, 2008

Via First Class Mail

Victoria K. Petrone, Esquire  
Logan & Associates, LLC  
100 W. Commons Boulevard, Suite 300  
New Castle, DE 19720-2419

John E. Shields, Jr.

Of Counsel  
Frederic Colapinto-Greene

Also admitted to P.R.

Admitted Only to P.R.

Direct Dial  
Ext. 112  
email: jshields@blackburn.com

Re: RLI Insurance Company v. Indian River School District, et al.  
United States District Court for the District of Delaware  
Civil Action No. 1:05-cv-00858-JJF  
Our File No. 729.004

REF: TO:  
MEDFORD OFFICE

Dear Ms. Petrone:

I hope this letter finds you well.

As you know, Judge Farnan has denied our motion to take the discovery deposition of Mr. McCone. Therefore, we wish to schedule his deposition for use at the time of trial as part of RLI's affirmative claim. We have selected June 23, 2008 as the date for the deposition. Should this date present a conflict for you, please advise of other available dates in the later part of June or the beginning of July. Our office will arrange for the Court Reporter and videographer.

Thank you for your kind attention to this matter.

Very truly yours,

John E. Shields, Jr.,

JES/js

cc: Perry F. Goldlust, Esquire (Via Facsimile)  
Kevin Amadio, Esquire (Via First Class Mail)  
Paul Cottrell, Esquire (Via First Class Mail)

Q:\RLI Surety\729\McDaniel.004\Indian River\Lit\2008\Petrone V 5-21-08.wpd

Exhibit 1

74 South Main Street, Medford, New Jersey 08055 (609) 654-2907 Fax: (609) 654-2908  
1528 Walnut Street, 4<sup>th</sup> Floor, Philadelphia, Pennsylvania 19102 (215) 985-0123 Fax: (215) 985-0124  
55 Simpson Avenue, Pitman, New Jersey 08071 (856) 582-6242 Fax: (856) 582-6544  
361 San Francisco Street, 4<sup>th</sup> Floor, San Juan, Puerto Rico 00901 (787) 725-1004  
21 West Fee Avenue, Suite D, Melbourne, Florida 32901 (321) 722-0770 Fax: (321) 722-0830

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

---

RLI INSURANCE COMPANY

Plaintiff.

vs.

CIVIL ACTION

NO. 05-858

INDIAN RIVER SCHOOL DISTRICT

and

EDIS COMPANY

and

BECKER MORGAN GROUP, INC.

Defendants.

---

JURY TRIAL DEMAND

NOTICE OF DEPOSITION

To: Victoria K. Petrone, Esquire  
Logan & Associates, LLC  
100 W. Commons Boulevard, Suite 300  
New Castle, DE 19720-2419  
*Attorney for EDiS Company*

PLEASE TAKE NOTICE that, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure and District of Delaware Local Civil Rules, the plaintiff, RLI Insurance Company, will take the trial deposition by videotaped oral examination of Christian McCone, of EDiS Company, at the offices of Aber, Goldlust, Baker & Over, 702 King Street, Suite 600, Wilmington, DE 19899-1675 commencing at 9:30 a.m. on June 23, 2008.

The oral examination shall be before a notary public or other person authorized by law to administer oaths, for use as evidence in this case. The deposition shall be recorded by stenographic and video graphic means. The deposition will continue from day to day until completed.

Respectfully submitted:

ABER, GOLDLUST, BAKER & OVER

s/ Perry F. Goldlust

PERRY F. GOLDLUST (DSB #770)

702 King Street, P.O. Box 1675

Wilmington, DE 19899-1675

(302) 472-4900

pgoldlust@gablawde.com

*Attorneys for Plaintiff RLI Insurance Company*

DATE:

**Of Counsel:**

HARRY R. BLACKBURN, ESQUIRE

JOHN E. SHIELDS, JR., ESQUIRE

BLACKBURN, DeCLEMENT & ASSOCIATES, P.C.

74 South Main Street

Medford, NJ 08055

(609) 654-2907